

### **REMARKS**

At the time the present Non-Final Office Action was mailed (January 23, 2007), claims 1-47 were pending. In this response, claims 1-3, 13, 17, 20, 24-27, 30, 34, 36, 40 and 45 have been amended, without prejudice to pursuing these claims in unamended or other forms in a continuation or other application. Claims 4, 14, 29, 41 and 48-59 have been cancelled and claims 60-62 have been added. Accordingly, claims 1-3, 5-13, 15-28, 30-40, 42-47, and 60-62 are currently pending.

In the January 23, 2007 Office Action, all the pending claims were rejected or objected to. More specifically, the status of the application in light of the January 23, 2007 Office Action is as follows:

(A) Claims 1-47 are rejected under 35 U.S.C. § 112, second paragraph;

(B) Claims 1-10, 12, 15-28, 40, 42 and 43 are rejected under 35 U.S.C. § 102 and/or 35 U.S.C. § 103 on the basis of one or more of the following references: U.S. Patent No. 3,652,442 to Powers, et al. ("Powers"), U.S. Patent No. 5,516,412 to Andricacos, et al. ("Andricacos"), U.S. Patent No. 6,955,747 to Browne, et al. ("Browne"), U.S. Patent No. 6,027,631 to Broadbent ("Broadbent");

(C) Claims 1-10, 12, 15-28, 40, 42 and 43 are provisionally rejected on the grounds of nonstatutory obviousness-type double patenting; and

(D) Claims 30-39 and 40-47 are indicated to be allowable if rewritten to overcome the rejections under Section 112, and claims 11, 13, 14, 29, 41 and 44 are indicated to be allowable if re-written to be in independent form and amended to overcome the Section 112 rejections.

The undersigned attorney would like to thank the Examiner for engaging in a telephone interview on July 9, 2007. During the July 9, 2007 interview, the Examiner and the undersigned attorney discussed amending claim 1 to include the features of claim 14,

in combination with eliminating the feature of claim 1 relating to an extent of the claimed paddle within the paddle chamber. The Examiner agreed that eliminating this feature would not change his indication of allowable subject matter. The foregoing amendments have been incorporated into claim 1.

A. Response to the Section 112 Rejections

The pending independent claims were rejected under Section 112, second paragraph because the phrase "at least proximate" as a descriptor of the workpiece support is allegedly not clearly defined by the specification. The Examiner indicated that the relationship arrangement between the workpiece and the support is already sufficiently defined in the claims. Accordingly, this phrase has been removed from the pending independent claims and additional claims not specifically identified by the Examiner. As a result, the Section 112 rejections of the pending claims should be withdrawn.

B. Response to the Sections 102 and 103 Rejections

Independent claim 1 has been amended to include the features of allowable claim 14, consistent with the agreement reached during the July 9, 2007 telephone interview, and claim 14 has been cancelled. Accordingly, the outstanding rejection of claim 1 under Section 102 should be withdrawn. Claim 4 has been cancelled and accordingly, the Section 102 rejection of claim 4 is now moot. Claims 2, 3, 5-13, 15 and 16 depend from claim 1 with claims 2 and 3 amended to provide consistency with claim 1 in its present form. Accordingly, the § 102 and/or § 103 rejections of these claims should be withdrawn.

Independent claim 17 has been amended to depend from claim 1. Accordingly, the Section 102 rejection of claim 17 should be withdrawn. Claims 18 and 19 depend from claim 17 and accordingly, the Section 102 rejections of these claims should be withdrawn for the foregoing reasons and for the additional features of these dependent claims. Claims 20, 24 and 25 have been amended to depend from claim 1 and accordingly, the Section 102 rejections of these claims should be withdrawn for the foregoing reasons and

for the additional features of these dependent claims. Claims 21-23 depend from claim 20 and accordingly, the Section 102 and/or Section 103 rejections of these claims should be withdrawn for the foregoing reasons and for the additional features of these dependent claims.

Claim 27 has been amended to include the features of allowable claim 29, which has been cancelled. Accordingly, the Section 102 rejection of claim 27 should be withdrawn. Claim 26 has been amended to depend from claim 27, and claim 28 depends from claim 27 without amendment. Accordingly, the Section 102 and/or Section 103 rejections of these claims should be withdrawn for the foregoing reasons and for the additional features of these dependent claims.

Claim 40 has been amended to include the features of claim 41, which was indicated to be allowable if re-written to be in independent form. Claim 41 as been cancelled. Accordingly, the outstanding Section 102 rejection of claim 40 should be withdrawn. Claims 42 and 43 depend from claim 40 and accordingly, the Section 102 and/or Section 103 rejections of these claims should be withdrawn.

C. Response to the Double Patenting Rejections

Claims 1-10, 12, 15-28, 40, 42 and 43 were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-28 of co-pending Application No. 10/734,100, and claims 1-47 of co-pending Application No. 10/733,807. Without commenting on or conceding the merits of this rejection and in an effort to expedite prosecution of the present application, applicants enclose Terminal Disclaimers referencing Application No. 10/734,100 and Application No. 10/733,807. Accordingly, the double patenting rejections should be withdrawn.

D. Response to the Indication of Allowable Subject Matter

As discussed above, claims 30, 34, 36 and 45 have been amended to overcome the outstanding Section 112 rejections of these claims. Objected-to claims 11 and 13 now depend from claim 1 and accordingly, the objections to these claims should be withdrawn. Claims 11 and 13 have also been re-written to be in independent form as claims 60 and 61, respectively. Claims 14 and 29 have been cancelled and accordingly, the objections to these claims are now moot. Claim 44 has been re-written in independent form as new claim 63.

E. Consideration of IDS

Applicants wish to draw the Examiner's attention to the accompanying Information Disclosure Statement and associated Declaration of Thomas L. Ritzdorf. In light of both, applicants wish to have U.S. Patent Application Publication No. US2005/0167275A1 considered as admitted prior art to the present application.

F. Conclusion

In view of the foregoing amendments and remarks, applicants request reconsideration of the pending application. If the Examiner discovers any issues that may be expediently handled by telephone, he is encouraged to contact the undersigned attorney by telephone to handle such matters.

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Respectfully submitted,

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